

**MEMORANDUM**

DATE: September 18, 2007

TO: All Unit 6 Employees

FROM: David A. Gilb
Director

[Signature]
James B. Tilton
Secretary, CDCR

SUBJECT: Changes to Compensation and Personnel Policies

[Signature]
Dr. Stephen Mayberg, Ph.D.
Director, DMH

As you are probably aware, collective bargaining negotiations on a successor labor contract between the State of California and the California Correctional Peace Officers Association (CCPOA) on behalf of Bargaining Unit 6 employees have not resulted in an agreement. Negotiations began in June 2006, and have continued since that time. Most recently, negotiations have proceeded with the assistance of a mediator.

The State made its last, best and final offer to CCPOA on September 12, 2007. CCPOA rejected the State's offer. A complete copy of the State's final offer can be found at www.dpa.ca.gov.

Today, the State has implemented its last, best, and final offer. While the law allows the State to implement any portion or all of the last, best and final offer, the State intends to implement all of the economic provisions of its final offer as outlined in section "A" below.

A. Compensation

Subject to approval of the California State Legislature¹, the State will implement the increases and changes to compensation described below. The Legislature is not currently in session, but will return in January 2008. Upon the Legislature's return, the State will immediately introduce enabling legislation to implement all of the following increases to compensation:

1. Salary:

The State will implement a 5% annual salary increase for all employees in Bargaining Unit 6 on July 1, 2007, July 1, 2008, and July 1, 2009. The July 1, 2007², increase will be retroactive upon approval of Legislation.

¹ Legislative approval is required for funding expenditures each fiscal year.

² Employees will receive a separate pay warrant for any retroactive payments. Payment will be made after the Legislature approves the enabling legislation and payments are processed through the State payroll system.

2. Health Insurance:

Effective the first day of the pay period following approval of the enabling legislation by the Legislature, the State will increase its health benefit contribution as follows:

<u>Current Monthly Contribution Rates</u>		<u>New Monthly Contribution Rates</u>	
Employee only:	\$321	Employee only:	\$394
Employee plus one:	\$625	Employee plus one:	\$763
Employee plus family:	\$807	Employee plus family:	\$982

In addition, effective January 1, 2009, and January 1, 2010, the State will increase its health benefit contribution to the flat dollar equivalent of the respective 2009 and 2010 85/80 rates.

3. New Recruit Bonus:

The State will implement a pilot program that provides a \$2000 bonus payment to Unit 6 employees who recruit a new Correctional Officer/Youth Correctional Officer who subsequently graduates from the Correctional Officer academy.³ There is no cap on the number of New Recruit bonuses a Unit 6 employee can receive. This program will commence with the applications received as of November 1, 2007. Any payments will be delayed until Legislative approval.

4. Recruitment Incentive:

Due to the vital need to recruit and retain peace officers at the high cost of living institutions of San Quentin, Correctional Training Facility, and Salinas Valley State Prisons (CDCR only), the State will increase the amount of the existing recruitment incentive from \$175 per month to \$500 per month. This increase will be retroactive to July 1, 2007², for those employees who remained employed at one of the listed facilities for the time period between July 1, 2007, and Legislative approval.

5. Annual Recruitment and Retention Bonus:

The State will add Salinas Valley State Prison (CDCR only), Correctional Training Facility, High Desert State Prison, and California Correctional Center (excluding camps) to the existing list of CDCR institutions receiving the \$2400 annual recruitment and retention bonus. The addition of these facilities will be effective July 1, 2007², for those employees who remained employed at one of the listed facilities for the time period between July 1, 2007, and Legislative approval.

³ Bargaining Unit 6 employees within the Office of Peace Officer Selection and local recruiters at the field level whose official duties involve the recruitment, testing, screening and/or selection of candidates for employment are not eligible for this program.

6. Shift Differential:

The State will increase the Night Shift Differential from \$.50 to \$.75 per hour and the Weekend Shift Differential from \$.65 to \$.90 per hour. This increase will be retroactive to July 1, 2007¹.

Effective July 1, 2008, the State will further increase the Night Shift Differential from \$.75 per hour to \$1.00 per hour and the Weekend Shift Differential from \$.90 per hour to \$1.25 per hour.

7. Uniform Allowance:

The State will increase the Uniform Allowance from \$530 per year to \$730 per year. This increase will be retroactive to July 1, 2007¹.

Effective July 1, 2008, the State will further increase the Uniform Allowance from \$730 per year to \$880 per year.

8. Sick Leave Counted As Time Worked When Computing Overtime:

Sick leave will no longer be counted as time worked for purposes of computing overtime. This change will be effective the first work cycle after Legislative approval. Until then, there will be no change to how overtime is calculated.

9. Mileage Reimbursement:

The State will increase mileage reimbursement for employees who use their personal cars on State business to an amount consistent with the Federal Standard Mileage Rate (currently 48.5 cents per mile). This increase will be effective upon approval of the Legislature.

The State is proposing that all other items of compensation and benefits remain the same for Unit 6 employees.

B. Personnel Policies

The four items discussed below represent the only major modifications to personnel policies being implemented by the State. Other personnel policies are being implemented without significant changes.

1. Sick Leave:

CDCR and DMH will implement policies designed to permit the management of sick leave usage. The departments may look at frequency and use of sick leave and take appropriate corrective or disciplinary action. Permanent Intermittent Employees who accept an

unscheduled work shift and later call in sick will no longer be permitted to use sick leave credits. Upon legislative approval, sick leave will not count as hours worked for purposes of calculating overtime.

Amended procedures effectuating these changes will be forthcoming.

2. Post and Bid Procedure:

In order to provide more flexibility in the assignment of personnel, the existing Post and Bid procedure in the CDCR/Adult Division will be amended to exclude assignments to Security Squads and Transportation Units. Gender restricted posts and related duties have been clarified.

Youth Correctional Counselor assignments will no longer bid to post, but will, on a 70/30 split, bid to a watch and set of regular days off.

Amended procedures effectuating these changes will be forthcoming.

3. Employee Requested Transfers:

As you know, high vacancy rates in certain institutions continue to plague CDCR operations. To help address these matters, CDCR will issue a policy that will address these CDCR operational concerns and yet recognize the desire of certain employees to transfer between institutions.

4. Grievance Procedure:

While employees and/or CCPOA may not file grievances on provisions of the expired contract, grievances on CDCR/DMH policies and health and safety matters will continue to be processed up through CDCR/DMH and the Department of Personnel Administration. Grievances filed on or after September 18, 2007, will not be arbitrated.

C. Future Collective Bargaining Negotiations between CCPOA and the State of California

Even though the State and CCPOA have not been successful in reaching agreement on a successor labor contract, the State is hopeful that circumstances will change that will alter the present impasse between the parties. The State has been and will continue to be committed to good faith negotiations.

It is our hope that this implementation will be as seamless as possible. It is aimed at improving operations, providing fair compensation to our employees, filling vacancies, and minimizing disruption to working conditions.